



United States Government

**OFFICE OF THE EXECUTIVE SECRETARY
NATIONAL LABOR RELATIONS BOARD
1015 HALF STREET SE
WASHINGTON, DC 20570**

August 31, 2020

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Re: International Longshore & Warehouse Union (Pacific Crane Maintenance Company, Inc.), Case 32-CB-005932

Dear Counsel:

This office is in receipt of your letter dated August 31, 2020 in the subject case. You assert that the time for filing answering briefs to the Charging Parties' exceptions has passed. As explained below, the time for filing answering briefs to those exceptions has not passed and the due date is September 4, 2020.

Section 102.46(b)(1) of the Board's Rules and Regulations states in relevant part, "[w]ithin 28 days, or within such further period as the Board may allow, from the date of the service of the order transferring the case to the Board . . . exceptions to the Administrative Law Judge's decision." In turn, Section 102.46(b)(1) states, "[w]ithin 14 days, or such further period as the Board may allow, **from the last date on which exceptions and any supporting brief may be filed**, a party opposing the exceptions may file an answering brief to the exceptions." (Emphasis added.)

Here, the Charging Parties' exceptions to the Administrative Law Judge's July 9, 2020 decision were due within 28 days of service on the Charging Parties, or August 6. Answering briefs to the those exceptions were due within 14 days of August 6, or August 20. However, during the intervening period, on August 13, this office extended the time to file answering briefs until September 4. On August 27, this office again noted that answering briefs were due September 4. Contrary to the Charging Parties, the fact that the Charging Parties filed their exceptions before the August 6 due date, on July 22, does not change the result. Answering briefs to their exceptions are nonetheless due "[w]ithin 14 days, or such further period as the Board may allow, **from the last date on which exceptions and any supporting brief may be filed**," which, in this case, is September 4, 2020.

Very truly yours,

/s/ Farah Z. Qureshi
Deputy Executive Secretary

cc: Parties